Article 28. Air Emissions Standards for Equipment Leaks

§66265.1050. Applicability.

(a) The regulations in this article apply to owners and operators of facilities that treat, store, or dispose of RCRA hazardous wastes (except as provided in Section 66265.1).

(b) Except as provided in Section 66265.1064(k) this article applies to equipment that contains or contacts RCRA hazardous wastes with organic concentrations of at least ten percent by weight that are managed in:

(1) a unit that is subject to the permitting requirements of chapter 20, or

(2) a unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of section 66262.34(a) (i.e., a hazardous waste recycling unit that is not a “90-day” tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of chapter 20, or

(3) a unit that is exempt from permitting under the provisions of 66262.34(a) (i.e., a “90-day” tank or container) and is not a recycling unit under the provisions of section 66261.6.

(c) Each piece of equipment to which this article applies shall be marked in such a manner that it can be distinguished readily from other pieces of equipment.

(d) Equipment that is in vacuum service is excluded from the requirements of Section 66265.1052 through Section 66265.1060 if it is identified as required in Section 66265.1064(g)(5).

(e) Equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for less than 300 hours per calendar year is excluded from the requirements of sections 66265.1052 through 66265.1060 if it is identified, as required in section 66265.1064(g)(6).

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 265.1050.

HISTORY

1. New article 28 (sections 66265.1050-66265.1064) filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
3. Change without regulatory effect repealing subsections (b)(1)-(2), adding new subsections (b)(1)-(3) and (e) and amending NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).
3. Change without regulatory effect amending subsection (b) filed 7—1—2004 pursuant to section 100, title 1, California Code of Regulations (Register 2004, No. 27).

§66265.1052. Standards: Pumps in Light Liquid Service.

(a)(1) Each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in Section 66265.1063(b), except as provided in subsections (d), (e), and (f) of this section.

(2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal.

(b)(1) If an instrument reading of 10,000 or greater is measured, a leak is detected.

(2) If there are indications of liquids dripping from the pump seal, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than fifteen (15) calendar days after it is detected, except as provided in Section 66265.1059.

(2) A first attempt at repair (e.g., tightening the packing gland) shall be made no later than 24 hours after each leak is detected.

(d) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of subsection (a), provided the following requirements are met:

(1) each dual mechanical seal system shall be:

(A) operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(B) equipped with a barrier fluid degassing reservoir that is connected by a closed-vent system to a control device that complies with the requirements of Section 66265.1060; or

(C) equipped with a system that purges the barrier fluid into a hazardous waste stream with no detectable emissions to the atmosphere.

(2) The barrier fluid system shall not be a hazardous waste with organic concentrations ten percent or greater by weight.

(3) Each barrier fluid system shall be equipped with a sensor that will detect failure of the seal system, the barrier fluid system or both.

(4) Each pump shall be checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals.

(5)(A) Each sensor as described in subsection (d)(3) of this section shall be checked daily or be equipped with an audible alarm that shall be checked monthly to ensure that it is functioning properly.

(B) The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(6)(A) If there are indications of liquids dripping from the pump seal or the sensor indicates failure of the seal system, the barrier fluid system, or both based on the criterion determined in subsection (d)(5)(B) of this section, a leak is detected.

(B) When a leak is detected, it shall be repaired as soon as practicable, but not later than fifteen (15) calendar days after it is detected, except as provided in Section 66265.1059.

(C) A first attempt at repair (e.g., relapping the seal) shall be made no later than 24 hours after each leak is detected.

(e) Any pump that is designated, as described in Section 66265.1064(g)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of subsections (a), (c), and (d) of this section if the pump meets the following requirements:

(1) the pump shall have no externally actuated shaft penetrating the pump housing;

(2) the pump shall operate with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background as measured by the methods specified in Section 66265.1063(c);

(3) the pump shall be tested for compliance with subsection (e)(2) of this section initially upon designation, annually, and at other times as required by the Department.

(f) if any pump is equipped with a closed-vent system capable of capturing and transporting any leakage from the seal or seals to a control device that complies with the requirements of Section 66265.1060, it is exempt from the requirements of subsections (a) through (e) of this section.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1052.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1053. Standards: Compressors.

(a) Each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of total organic emissions to the atmosphere, except as provided in subsections (h) and (i) of this section.

(b) Each compressor seal system as required in subsection (a) of this section shall be:

(1) operated with the barrier fluid at a pressure that is at all times greater than the compressor stuffing box pressure; or

(2) equipped with a barrier fluid system that is connected by a closed-vent system to a control device that complies with the requirements of Section 66265.1060; or

(3) equipped with a system that purges the barrier fluid into a hazardous waste stream with no detectable emissions to the atmosphere.

(c) The barrier fluid shall not be a hazardous waste with organic concentrations ten percent or greater by weight.

(d) Each barrier fluid system as described in subsections (a) through (c) of this section shall be equipped with a sensor that will detect failure of the seal system, barrier fluid system, or both.

(e)(1) Each sensor as required in subsection (d) of this section shall be checked daily or shall be equipped with an audible alarm that shall be checked monthly to ensure that it is functioning properly unless the compressor is located within the boundary of an unstaffed plant site, in which case the sensor shall be checked daily.

(2) The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system or both.

(f) If the sensor indicates failure of the seal system, the barrier fluid system, or both based on the criterion determined under subsection (e)(2) of this section, a leak is detected.

(g)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than fifteen (15) calendar days after it is detected, except as provided in Section 66265.1059.

(2) A first attempt at repair (e.g., tightening the packing gland) shall be made as soon as possible, to minimize escape of hazardous constituents to the environment, but no later than 24 hours after each leak is detected.

(h) A compressor is exempt from the requirements of subsections (a) and (b) of this section if it is equipped with a closed-vent system capable of capturing and transporting any leakage from the seal to a control device that complies with the requirements of Section 66265.1060, except as provided in subsection (i) of this section.

(i) Any compressor that is designated, as described in Section 66265.1064(g)(2), for no detectable emission as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of subsections (a) through (h) of this section if the compressor:

(1) is determined to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in Section 66265.1063(c); and

(2) is tested for compliance with subsection (i)(1) of this section initially upon designation, annually, and at any other time as requested by the Department upon a determination by the Department that testing for compliance is necessary to protect human health or the environment.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1053.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1054. Standards: Pressure Relief Devices in Gas/Vapor Service.

(a) Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in Section 66265.1063(c).

(b)(1) After each pressure release, the pressure relief device shall be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 24 hours after each pressure release, except as provided in Section 66265.1059.

(2) No later than 24 hours after the pressure release, the pressure relief device shall be monitored to confirm the condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in Section 66265.1063(c).

(c) Any pressure relief device that is equipped with a closed-vent system capable of capturing and transporting leakage from the pressure relief device to a control device as described in Section 66265.1060 is exempt from the requirements of subsections (a) and (b) of this section.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1054.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1055. Standards: Sampling Connecting Systems.

(a) Each sampling connection system shall be equipped with a closed-purge, closed-loop, or closed-vent system. This system shall collect the sample purge for return to the process or for routing to the appropriate treatment system. Gases displaced during filling of the sample container are not required to be collected or captured.

(b) Each closed-purge, closed-loop, or closed-vent system as required in subsection (a) of this section shall:

(1) Return the purged process fluid directly to the process line; or

(2) Collect and recycle the purged process fluid; or

(3) Be designed and operated to capture and transport all the purged process fluid to a waste management unit that complies with the applicable requirements of sections 66265.1085 through 66265.1087 or a control device that complies with the requirements of section 66265.1060.

(c) In-situ sampling systems and sampling systems without purges are exempt from the requirements of subsections (a) and (b) of this section.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 265.1055.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect repealing section, adding new section and amending NOTE filed 6—11—99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

§66265.1056. Standards: Open-ended Valves or Lines.

(a)(1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve.

(2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring hazardous waste stream flow through the open-ended valve or line.

(b) Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the hazardous waste stream end is closed before the second valve is closed.

(c) When a double block and bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with subsection (a) of this section at all other times.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1056.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1057. Standards: Valves in Gas/Vapor Service or in Light Liquid Service.

(a) Each valve in gas/vapor or light liquid service shall be monitored monthly to detect leaks by the methods specified in Section 66265.1063(b) except when in compliance with subsections (c) and shall comply with (d) and (e) of this section, except as provided in subsections (f), (g), and (h) of this section and Sections 66265.1061 and 66265.1062.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) Any valve for which a leak is not detected for two successive months shall be monitored the first month of every succeeding quarter, beginning with the next quarter, until a leak is detected.

(2) If a leak is detected, the valve shall be monitored monthly until a leak is not detected for two successive months.

(d)(1) When a leak is detected, the valve shall be repaired as soon as practicable, but no later than fifteen (15) calendar days after the leak is detected, except as provided in Section 66265.1059.

(2) A first attempt at repair shall be made as soon as possible, to minimize escape of hazardous constituents to the environment, but no later than 24 hours after each leak is detected.

(e) First attempts at repair include, but are not limited to, the following best practices where practicable:

(1) tightening of bonnet bolts;

(2) replacements of bonnet bolts;
(3) tightening of packing gland nuts; and
(4) inspection of lubricant into lubricated packing.

(f) Any valve that is designated, as described in Section 66265.1064(g)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of subsection (a) of this section if the valve:

(1) has no external actuating mechanism in contact with the hazardous waste stream;

(2) is operated with emissions less than 500 ppm above background as determined by the method specified in Section 66265.1063(c); and

(3) is tested for compliance with subsection (f)(2) of this section initially upon designation, annually, and at other times as requested by the Department.

(g) Any valve that is designated, as described in Section 66265.1064(h)(1), as an unsafe-to-monitor valve is exempt from the requirements of subsection (a) of this section if:

(1) the owner or operator of the valve determines (written explanation in the operating record) that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with subsection (a) of this section; and

(2) the owner or operator of the valve adheres to a written plan that requires monitoring of the valve as frequently as practicable.

(h) Any valve that is designated, as described in Section 66265.1064(h)(2), as a difficult-to-monitor valve is exempt from the requirements of subsection (a) of this section if:

(1) the owner or operator of the valve determines that the valve cannot be monitored without elevating the monitoring personnel more than two meters above a support surface; and

(2) the hazardous waste management unit within which the valve is located was in operation before effective date of this regulation; and

(3) the owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1057.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1058. Standards: Pumps and Valves in Heavy Liquid Service, Pressure Relief Devices in Light Liquid or Heavy Liquid Service, and Flanges and Other Connectors.

(a) Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors shall be monitored within five days by the method specified in Section 66265.1063(b) if evidence of a potential leak is found by visual, audible, olfactory, or any other detection method.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than fifteen (15) calendar days after it is detected, except as provided in Section 66265.1059.

(2) The first attempt at repair shall be made as soon as possible, to minimize escape of hazardous constituents to the environment, but no later than 24 hours after each leak is detected.

(d) First attempts at repair include, but are not limited to, the best practices described under Section 66265.1057(e).

(e) Any connector that is inaccessible or is ceramic or ceramic-lined (e.g., porcelain, glass, or glass-lined) is exempt from the monitoring requirements of subsection (a) of this section and from the recordkeeping requirements of section 66265.1064.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 265.1058.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect adding new subsection (e) and amending NOTE filed 6—11—99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

§66265.1059. Standards: Delay of Repair.

(a) Delay of repair of equipment for which leaks have been detected will be allowed if the repair is technically infeasible without a hazardous waste management unit shutdown. In such a case, repair of this equipment shall occur before the end of the next hazardous waste management unit shutdown.

(b) Delay of repair of equipment for which leaks have been detected will be allowed for equipment that is isolated from the hazardous waste management unit and that does not continue to contain or contact hazardous waste with organic concentrations at least ten percent by weight.

(c) Delay of repair for valves will be allowed if:

(1) The owner or operator determines that emissions of purged material resulting from immediate repair are greater than the emissions likely to result from delay of repair; and

(2) When repair procedures are effected, the purged material is collected and destroyed or recovered in a

control device complying with Section 66265.1060.

(d) Delay or repair for pumps will be allowed if:

(1) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and

(2) Repair is completed as soon as practicable, but not later than six months after the leak was detected.

(e) Delay of repair beyond a hazardous waste management unit shutdown will be allowed for a valve if valve assembly replacement is necessary during the hazardous waste management unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next hazardous waste management unit shutdown will not be allowed unless the next hazardous waste management unit shutdown occurs sooner than six months after the first hazardous waste management unit shutdown.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1059.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1060. Standards: Closed-vent Systems and Control Devices.

(a) Owners and operators of closed-vent systems and control devices subject to this article shall comply with the provisions of section 66265.1033.

(b)(1) The owner or operator of an existing facility who cannot install a closed-vent system and control device to comply with the provisions of this article on the effective date that the facility becomes subject to the provisions of this article must prepare an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The controls must be installed as soon as possible, but the implementation schedule may allow up to 30 months after the effective date that the facility becomes subject to this article for installation and startup.

(2) Any units that begin operation after December 21, 1990, and are subject to the provisions of this article when operation begins, must comply with the rules immediately (i.e., must have control devices installed and operating on startup of the affected unit); the 30-month implementation schedule does not apply.

(3) The owner or operator of any facility in existence on the effective date of a statutory or Department regulatory amendment that renders the facility subject to this article shall comply with all requirements of this article as soon as practicable but no later than 30 months after the amendment's effective date. When control equipment required by this article cannot be installed and begin operation by the effective date of the amendment, the facility owner or operator shall prepare an implementation schedule that includes the following information: Specific calendar dates for award of contracts or issuance of purchase orders for the control equipment, initiation of on-site installation of the control equipment, completion of the control equipment installation, and performance of any testing to demonstrate that the installed equipment meets the applicable standards of this article. The owner or operator shall enter the implementation schedule in the operating record or in a permanent, readily available file located at the facility.

(4) Owners and operators of facilities and units that become newly subject to the requirements of this article after December 8, 1997 due to an action other than those described in subsection (b)(3) of this section must comply with all applicable requirements immediately (i.e., must have control devices installed and operating on the date the facility or unit becomes subject to this article; the 30-month implementation schedule does not apply).

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 265.1060.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect repealing section, adding new section and amending NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

§66265.1061. Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service: Percentage of Valves Allowed to Leak.

(a) An owner or operator subject to the requirements of Section 66265.1057 may elect to have all valves within a hazardous waste management unit comply with an alternative standard which allows no greater than two percent of the valves to leak.

(b) The following requirements shall be met if an owner or operator decides to comply with an alternative standard which allows two percent of the valves to leak:

(1) the owner or operator shall notify the Department that the owner or operator has elected to comply with the requirements of this section;

(2) a performance test as specified in subsection (c) of this section shall be conducted initially upon designation, annually, and at any other time required by the Department upon a determination by the Department that a performance test is necessary to protect human health or the environment; and

(3) if a valve leak is detected, it shall be repaired in accordance with Sections 66265.1057(d) and (e).

(c) Performance tests shall be conducted in the following manner:

(1) all valves subject to the requirements in Section 66265.1057 within the hazardous waste management unit shall be monitored within a one week period by the methods specified in Section 66265.1063(b);

(2) if an instrument reading of 10,000 ppm or greater is measured, a leak is detected; and

(3) the leak percentage shall be determined by dividing the number of valves subject to the requirements in Section 66265.1057 for which leaks are detected by the total number of valves subject to the requirements in Section 66265.1057 within the hazardous waste management unit.

(d) If an owner or operator decides no longer to comply with this section, the owner or operator shall notify the Department in writing that the work practice standard described in Section 66265.1057(a) through (e) will be followed.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1061.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).

§66265.1062. Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service: Skip Period Leak Detection and Repair.

(a)(1) An owner or operator subject to the requirements of Section 66265.1057 shall elect for all valves within a hazardous waste management unit to comply with one of the alternative work practices specified in subsection (b)(2) and (3) of this section.

(2) An owner or operator shall notify the Department before implementing one of the alternative work practices.

(b)(1) An owner or operator shall comply with the requirements for valves, as described in Section 66265.1057, except as described in subsections (b)(2) and (b)(3) of this section.

(2) After two consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 percent, an owner or operator may begin to skip one of the quarterly leak detection periods (i.e., monitor for leaks once every six months) for the valves subject to the requirements in Section 66265.1057.

(3) After five consecutive quarterly leak detection periods with the percentage of valves leaking equal to or less than 2 percent, an owner or operator may begin to skip three of the quarterly leak detection periods (i.e., monitor for leaks once every year) for the valves subject to the requirements in Section 66265.1057.

(4) If the percentage of valves leaking is greater than 2 percent, the owner or operator shall monitor all valves monthly in compliance with the requirements in Section 66265.1057, but may again elect to use this section after meeting the requirements of Section 66265.1057(c)(1).

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR, Section 265.1062.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect amending subsections (b)(2)-(3) and amending NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

§66265.1063. Test Methods and Procedures.

(a) Each owner or operator subject to the provisions of this article shall comply with the test methods and procedures requirements provided in this section.

(b) Leak detection monitoring, as required in Sections 66265.1052 through 66265.1062, shall comply with the following requirements:

(1) monitoring shall comply with Reference Method 21 in 40 CFR, part 60, incorporated by reference in Section 66260.11 of this chapter.

(2) the detection instrument shall meet the performance criteria of Reference Method 21.

(3) the instrument shall be calibrated before use on each day of its use by the procedures specified in Reference Method 21;

(4) Calibration gases shall be:

(A) zero air (less than 10 ppm of hydrocarbon in air);

(B) a mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.

(5) the instrument probe shall be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21.

(c) When equipment is tested for compliance with no detectable emissions, as required in Sections 66265.1052(e), 66265.1053(i), 66265.1054, and 66265.1057(f), the test shall comply with the following requirements:

(1) the requirements of subsections (b)(1) through (4) of this section shall apply;

(2) the background level shall be determined, as set forth in Reference Method 21;

(3) the instrument probe shall be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21; and

(4) the arithmetic difference between the maximum concentration indicated by the instrument and the background level shall be compared with 500 ppm for determining compliance.

(d) In accordance with the waste analysis plan required by Section 66265.13(b), an owner or operator of a facility shall determine, for each piece of equipment, whether the equipment contains or contacts a hazardous waste with organic concentration that equals or exceeds 10 percent by weight using the following:

(1) methods described in ASTM Methods D 2267-88, E 169-87, E 168-88, E 260-85 (incorporated by reference under Section 260.11);

(2) method 9060 or 8260 of SW-846 (incorporated by reference under Section 66260.11); or

(3) application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced. Documentation of a waste determination by knowledge is required. Examples of documentation that shall be used to support a determination under this provision include production process information documenting that no organic compounds are used, information that the waste is generated by a process that is identical to a process at the same or another facility that has previously been demonstrated by direct measurement to have a total organic content less than 10 percent, or prior speciation analysis results on the same waste stream where it can also be documented that no process changes have occurred since that analysis that could affect the total organic concentration of the waste.

(e) If an owner or operator determines that a piece of equipment contains or contacts a hazardous waste with organic concentration at least 10 percent by weight, the determination can be revised only after following the procedures in subsection (d)(1) or (d)(2) of this section.

(f) When an owner or operator and the Department do not agree on whether a piece of equipment contains or contacts a hazardous waste with organic concentrations at least 10 percent by weight, the procedures in subsection (d)(1) or (d)(2) of this section shall be used to resolve the dispute.

(g) Samples used in determining the percent organic content shall be representative of the highest total organic content hazardous waste that is expected to be contained in or contact the equipment.

(h) To determine if pumps or valves are in light liquid service, the vapor pressures of constituents may be obtained from standard reference texts or may be determined by ASTM D-2879-86 (incorporated by reference under Section 260.11).

(i) Performance tests to determine if a control device achieves 95 weight percent organic emission reduction shall comply with the procedures of Section 66265.1034(c)(1) through (c)(4).

NOTE: Authority cited: Sections 25150, 25159 and 58012, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR, Section 66265.1063.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2 Amendment of subsection (d)(2) and NOTE filed 10-13-98; operative 11-12-98 (Register 98, No. 42).

§66265.1064. Recordkeeping Requirements.

(a)(1) Each owner or operator subject to the provisions of this article shall comply with the recordkeeping requirements of this section.

(2) An owner or operator of more than one hazardous waste management unit subject to the provisions of this article may comply with the recordkeeping requirements for these hazardous waste management units in one recordkeeping system if the system identifies each record by each hazardous waste management unit.

(b) Owners and operators shall record the following information in the facility operating record:

(1) for each piece of equipment to which this article applies:

(A) equipment identification number and hazardous waste management unit identification;

(B) approximate locations within the facility (e.g., identify the hazardous waste management unit on a facility plot plan);

(C) type of equipment (e.g., a pump or pipeline valve);

(D) percent-by-weight total organics in the hazardous waste stream at the equipment;

(E) hazardous waste state at the equipment (e.g., gas/vapor or liquid);

(F) method of compliance with the standard (e.g., “monthly leak detection and repair” or “equipped with dual mechanical seals”);

(2) for facilities that comply with the provisions of Section 66265.1033(a)(2), an implementation schedule as specified in Section 66265.1033(a)(2);

(3) an owner or operator who chooses to use test data to demonstrate the organic removal efficiency or total organic compound concentration achieved by the control device, shall record a performance test plan as specified in Section 66265.1035(b)(3); and

(4) Documentation of compliance with Section 66265.1060, including the detailed design documentation or performance test results specified in Section 66265.1035(b)(4).

(c) When each leak is detected as specified in Sections 66265.1052, 66265.1053, 66265.1057, and 66265.1058, the following requirements apply:

(1) a weatherproof and readily visible identification, marked with the equipment identification number, the date evidence of a potential leak was found in accordance with Section 66265.1058(a), and the date the leak was detected, shall be attached to the leaking equipment;

(2) the identification on equipment, except on a valve, may be removed after it has been repaired; and

(3) the identification on a valve may be removed after it has been monitored for 2 successive months as specified in Section 66265.1057(c) and no leak has been detected during those 2 months.

(d) When each leak is detected as specified in Sections 66265.1052, 66265.1053, 66265.1057, and 66265.1058, the following information shall be recorded in an inspection log and shall be kept in the facility operating record:

(1) the instrument and operator identification number and the equipment identification number;

(2) the date evidence of a potential leak was found in accordance with Section 66265.1058(a);

(3) the date the leak was detected and the date of each attempt to repair the leak;

(4) repair methods applied in each attempt to repair the leak;

(5) “above 10,000" if the maximum instrument reading measured by the methods specified in Section 66265.1063(b) after each repair attempt is equal to or greater than 10,000 ppm;

(6) “repair delayed” and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak;

(7) source of documentation supporting the delay of repair of a valve in compliance with Section 66265.1059(c);

(8) name and the signature of the owner or operator (or designee) whose decision it was that repair could not be effected without a hazardous waste management unit shutdown;

(9) the expected date of successful repair of the leak if a leak is not repaired within 15 calendar days; and

(10) the date of successful repair of the leak.

(e) Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with the provisions of Section 66265.1060 shall be recorded and kept up-to-date in the facility operating record as specified in Section 66265.1035(c). Design documentation is specified in Section 66265.1035(c)(1) and (c)(2) and monitoring, operating, and inspection information is specified in Section 66265.1035(c)(3)-(c)(8).

(f) For a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system, monitoring and inspection information indicating proper operation and maintenance of the control device must be recorded in the facility operating record.

(g) The following information pertaining to all equipment subject to the requirements in Sections 66265.1052 through 66265.1060 shall be recorded in a log that is kept in the facility operating record:

(1) a list of identification numbers for equipment (except welded fittings) subject to the requirements of this article;

(2)(A) a list of identification numbers for equipment that the owner or operator elects to designate for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, under the provisions of Sections 66265.1052(e), 66265.1053(i), and 66265.1057(f);

(B) the designation of this equipment as subject to the requirements of Sections 66265.1052(e), 66265.1053(i), or 66265.1057(f) shall be signed by the owner or operator;

(3) a list of equipment identification numbers for pressure relief devices required to comply with Section 66265.1054(a);

(4)(A) the dates of each compliance test required in Sections 66265.1052(e), 66265.1053(i), 66265.1054, and 66265.1057(f);

(B) the background level measured during each compliance test;

(C) the maximum instrument reading measured at the equipment during each compliance test;

(5) a list of identification numbers for equipment in vacuum service; and

(6) identification, either by list or location (area or group) of equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for less than 300 hours per calendar year.

(h) The following information pertaining to all valves subject to the requirements of Section 66265.1057(g) and (h) shall be recorded in a log that is kept in the facility operating record:

(1) a list of identification numbers for valves that are designated as unsafe to monitor, an explanation for each valve stating why the valve is unsafe to monitor, and the plan for monitoring each valve; and

(2) a list of identification numbers for valves that are designated as difficult to monitor, an explanation for each valve stating why the valve is difficult to monitor, and the planned schedule for monitoring each valve.

(i) The following information shall be recorded in the facility operating record for valves complying with Section 66265.1062:

(1) a schedule of monitoring; and

(2) the percent of valves found leaking during each monitoring period.

(j) The following information shall be recorded in a log that is kept in the facility operating record:

(1) criteria required in Sections 66265.1052(d)(5)(A) and 66265.1053(e)(2) and an explanation of the criteria; and

(2) any changes to these criteria and the reasons for the changes.

(k) The following information shall be recorded in a log that is kept in the facility operating record for use in determining exemptions as provided in the applicability section of this article and other specific articles:

(1) an analysis determining the design capacity of the hazardous waste management unit;

(2) a statement listing the hazardous waste influent to and effluent from each hazardous waste management unit subject to the requirements in Sections 66265.1052 through 66265.1060 and an analysis determining whether these hazardous wastes are heavy liquids; and

(3) an up-to-date analysis and the supporting information and data used to determine whether or not equipment is subject to the requirements in Sections 66265.1052 through 66265.1060. The record shall include supporting documentation as required by Section 66265.1063(d)(3) when application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced is used. If the owner or operator takes any action (e.g., changing the process that produced the waste) that could result in an increase in the total organic content of the waste contained in or contacted by equipment determined not to be subject to the requirements in Sections 66265.1052 through 66265.1060, then a new determination is required.

(*l*) Records of the equipment leak information required by subsection (d) of this section and the operating information required by subsection (e) of this section shall be kept 3 years.

(m) The owner or operator of any facility with equipment that is subject to this article and to leak detection, monitoring, and repair requirements under regulations at 40 CFR part 60, part 61, or part 63 may elect to determine compliance with this article either by documentation pursuant to section 66265.1064, or by documentation of compliance with the regulations at 40 CFR part 60, part 61, or part 63 pursuant to the relevant provisions of the regulations at 40 part 60, part 61, or part 63. The documentation of compliance under regulation at 40 CFR part 60, part 61, or part 63 shall be kept with or made readily available with the facility operating record.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR, Section 265.1064.

HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect amending subsections (g)(4)(C)-(g)(5), adding subsection (g)(6) and amending subsection (m) and NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

